GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department - Andhra Pradesh Police Manual - Orders of the Hon'ble Supreme Court of India in M.A. No. 1836/2021 in SMW (CRL) No. 1/2017, dt.20.04.2021 – Amendments to the Andhra Pradesh Police Manual – Orders – Issued.

HOME (LEGAL.II) DEPARMENT

G.O.Ms.No.57 **Dated:13.04.2022**
Read the following:

1. G.O.Ms.No.19, Home (Legal.II) Dept., dated 14.02.2017.
2. Order of the Hon'ble Supreme Court of India in M.A. No.1836/2021 in SMW (CRL) No. 1/2017, 20.04.2021.
3. From the Director General of Police, A.P, Mangalagiri, letter Rc.No. 2503/C3/2022, dt.06-04-2022.

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ORDER:

In the reference 2nd read above, the Hon'ble Supreme Court of India ordered that "the State Governments, as well as the Union of India (in relation to investigating agencies in its control) shall carry out consequential amendments on criminal rules of practice to their Police and other Manuals, within six months".

2. In the letter 3rd read above, the Director General of Police, Andhra Pradesh, Mangalagiri has furnished proposal for amendments to the Police Standing Orders in the Andhra Pradesh Police Manual.

3. In compliance to the above directions of the Hon'ble Supreme Court of India on Draft Criminal Rules on practice, 2021, the Government after careful examination of the matter have decided to issue the following amendments to the Andhra Pradesh Police Manual issued in G.O.Ms.No.19, Home (Legal.II) Dept., dated 14.02.2017 as subsequently amended.

AMENDMENTS

In the said Andhra Pradesh Police Manual, in Part-I in Volume- II A, in Chapter 22, -

In Order No.420, after clause 6 (C), the following shall be added namely,-

(1). "7. PHOTOGRAPHS AND VIDEO GRAPHS OF POST MORTEM IN CERTAIN CASES

i. In case of death of a person in police action [under Section 46 Criminal Procedure Code, 1973 ("Cr.PC") or Sections 129 to 131 Cr.PC] or death while in police custody, the magistrate or the Investigating Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.

[Contd., P2]

ii. Such photograph and videographs shall be taken either by arranging a police photographer or a nominated photographer of the State Government, and where neither of the above are available, an independent or private photographer shall be engaged.

iii. Such photographs or videographs shall be seized under a *panchanama* or seizure memo and all steps taken to ensure proper proof of such photographs/ video graphs during Trial.

iv. The Investigating Officer shall ensure that such photographs and videographs, if taken electronically, are seized under a *panchanama* or seizure memo and steps are taken to preserve the original, and ensure that certificate under Section 65B Indian Evidence Act, 1872 is obtained and taken to be proved during trial.

v. The video or photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B Indian Evidence Act, 1872.

vi. Where post-mortems are recorded in electronic form, the file containing the post-mortem proceedings, duly certified, should be placed with the memory card as on attachment unless individual memory cards are not capable of being produced before Court."

(2). In Order No.421, after clause (7), the following shall be added namely,-

"8. **BODY SKETCH TO ACCOMPANY MEDICO LEGAL CERTIFICATE, POST MORTEM REPORT AND INQUEST REPORT:**

Every Medico Legal Certificate, Post Mortem Report shall contain a printed format of the human body on its reverse and injuries, if any, shall be indicated on such sketch.

Inquest report prepared by Investigation officer

Every Investigating Officer should mention the injuries on the human body in a printed Form of the human body which shall contain both a) Frontal and b) Rear view of the human body while preparing the Inquest Report. Example the sample of human body photos are mentioned in PSO 421 (7)".

(3). In Order No.422, after clause 3(I), the following shall be added namely,-

"4. **SCENE MAHAZAR / SPOT *PANCHANAMA***

i. A site plan of the place of occurrence of an incident shall be appended by the Investigating Officer to the scene *mahazar* or spot *panchanama.*

ii. The site plan shall be prepared by the Investigating Officer by hand, and shall disclose

a. the place of occurrence,
b. the place where the body (or bodies) was / were found.

[Contd., P3]

c. the place where material exhibits and / or weapons.
d. blood stains and/or body fluids had fallen,
e. the place where bullet shells, if any, were found or have caused impact,
f. the source of light, if any and
g. adjoining natural and man-made structures or features such as walls, pits, fences, trees/bushes, if any and
h. elevation of structures and their location.

iii. The preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by the police draftsman, if available, or such other authorized or nominated draftsman by the State Government, who shall prepare the scaled site plan after visiting the spot.

iv. The relevant details in the *mahazar* or *panchanama* shall be marked and correlated in the said site plan.

4. The Director General of Police, Andhra Pradesh, Mangalagiri shall take necessary action accordingly and these orders shall come into force with immediate effect.

(BY ODER AND IN THE NAME OF THE GOVERNOR OF ANDER PRADESH)

GUDI VIJAYA KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT (I/c)

To
The Director General of Police, Andhra Pradesh, Mangalagiri.
Copy to:
The Law (C) Department.
The Health Medical and Family Welfare Department.
The P.S. to Chief Secretary.
SC/SF.

// FORWARDED :: BY ORDER //

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SECTION OFFICER